

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, November 2, 2022, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, October 28, 2022, at 4:20 P.M.

CALL TO ORDER

Chair Decter Wright called the meeting to order at 5:08 P.M.

ROLL CALL:

Hall-Harper	Absent	Dodson	Present
Cue	Present	Decter Wright	Present
Patrick	Present	Lakin	Present
McKee	Present	Fowler	Present
Arthrell-Knezek	Present		
	Present:	8	
	Absent:	1	

Councilor Hall-Harper arrived at 5:09 P.M.

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Brandon Worley, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on October 19, 2022. [CC 11/2/22] 22-1017-1
- b. Minutes of Regular Meeting held at 5:00 PM on October 19, 2022. [CC 11/2/22] 22-1018-1

Councilor Cue moved to approve 1.a – 1.b. Councilor Lakin seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Charles Wilkes – Appointment to the Sales Tax Overview Committee replacing Rhonda Hinrichs; term expires December 31, 2026. (CD-1) [PW 10/26/22; CC 11/2/22] 22-972-1
- b. Steven R. Burrus – Appointment to Tulsa's Port of Catoosa Facilities Authority replacing Bryant J. Coffman; term expires October 31, 2027. [UED 10/26/22; CC 11/2/22] 22-986-1

- c.

Erica Felix-Warwick – Reappointment to the Municipal Employee Retirement Board; term expires December 31, 2025. (Attended 33/36 meetings.) (CD-8) [PW 10/26/22; CC 11/2/22] 22-975-1
- d.

Jack Neely – Reappointment to the Municipal Employee Retirement Board; term expires December 31, 2025. (Attended 13/14 meetings.) (CD-4) [PW 10/26/22; CC 11/2/22] 22-973-1

Public Comments:
John Huffines – 2.a – 2.d.

Councilor Cue moved to approve 2.a – 2.d. Councilor Lakin seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

3. PUBLIC HEARINGS

- a.

Public Hearing for the purpose of providing information and giving members of the public an opportunity to be heard prior to any vote on the proposed Project Plan and Increment District that are described in the proposed Ordinance approving and adopting the Woodland Hills Economic Development Project Plan, pursuant to the Oklahoma Local Development Act; identifying and establishing one new Tax Increment District temporarily identified in the Project Plan as Increment District "A"; designating and adopting project area and increment district boundaries; naming Increment District "A" as Increment District No. 21, City of Tulsa; and setting a date for its creation; adopting certain findings; authorizing the City of Tulsa and the Tulsa Authority for Economic Opportunity as the entities to carry out and administer the project plan; establishing a Tax Apportionment Fund; declaring apportioned funds to be special funds of the Tulsa Authority for Economic Opportunity; authorizing the use of increment revenues for the payment of certain project costs; ratifying and confirming the actions, recommendations, and findings of the review committee and the Tulsa Metropolitan Area Planning Commission; and directing continuing apportionment. (Public Hearings: 10/19/22; 11/2/22) [UED 10/19/22; CC 10/19/22; CC 11/2/22] 22-937-4

Councilor Cue moved to enter Public Hearing on 3.a. Councilor Lakin seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.a at 5:13 P.M.

There were no speakers.

Without objection, Council exited Public Hearing on 3.a at 5:14 P.M.

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of one hundred seventy-five thousand dollars (\$175,000.00) to Jack Talbot Morris, Plaintiff, and Swab & Stall, PA, Attorneys, from the Sinking Fund as a judgment and attorney fee award in Case No. 19-CV-0073, Jack Talbot Morris v. City of Tulsa et al. **(Emergency Clause)** [UED 11/2/22; CC 11/2/22] 22-995-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of Gilcrease Museum Donation Agreement between the City of Tulsa and the Helmerich Trust. The Helmerich Trust will donate a total of seven million dollars (\$7,000,000.00) in annual installments of one million dollars (\$1,000,000.00) commencing on June 30, 2023, and ending on June 30, 2029, for the planned construction of Gilcrease Museum improvements. [PW 11/2/22; CC 11/2/22] 22-996-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by Ram Land Development, LLC of property located at 8102 E. 11th St., Parcel 413, Forest Acres Addition, for the Jack in the Box Project. (CD-5) [CC 11/2/22] 22-1000-1
- e. Consideration and possible approval, adoption, denial, amendment or revision of a Drainage Easement Donation by Concept Builders-1987, Inc. of property located at 2606 E. 47th St. S., Parcel 415, Horace Heights Addition, for the Horace Heights Storm Sewer Relocation Project. (CD-9) [CC 11/2/22] 22-1001-1
- f. Consideration and possible approval, adoption, denial, amendment or revision of a Drainage Easement Donation by Brian L. Flournoy, of property located at 2612 E. 47th St. S., Parcel 414, Horace Heights Addition, for the Horace Heights Storm Sewer Relocation Project. (CD-9) [CC 11/2/22] 22-1002-1
- g. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Blocktober Fall Festival scheduled for October 29, 2022, at 100 N. Greenwood Ave. (CD-4) [CC 11/2/22] 22-1005-1
- h. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: BOK Center November 2022 Events scheduled for November 5-27, 2022, at 200 S. Denver Ave. (CD-4) [CC 11/2/22] 22-1006-1
- i. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Farmers Market scheduled for November 5, 12, 13, 19, 2022, at 1 S. Lewis Ave. (CD-4) [CC 11/2/22] 22-1007-1
- j. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: McNellie's Pub Run scheduled for November 5, 2022, starting at 418 E. 2nd St. (CD-4) [CC 11/2/22] 22-1008-1
- k. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Dia de los Muertos scheduled for November 4, 2022, at Guthrie Green, 111 E. Reconciliation Way. (CD-4) [CC 11/2/22] 22-1009-1

1. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Jenks Half Marathon scheduled for November 5, 2022, starting at E. K PL., Jenks, OK and continuing into Tulsa City Limits. (CD-2) [CC 11/2/22] 22-1010-1
- m. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Get Your Rear in Gear - Tulsa scheduled for November 12, 2022, starting at 200 N. Boston Ave. (CD-1,4) [CC 11/2/22] 22-1011-1
- n. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Veterans Day Parade scheduled for November 11, 2022, starting at 300 S. Main St. (CD-1,4) [CC 11/2/22] 22-1012-1

Public Comments:
John Huffines – 4.g, 4.h, 4.i, 4.k.
Joshua Starks – 4.n.

Councilor Cue moved to approve 4.b – 4.n with the emergency clause on 4.b.
Councilor Lakin seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

5.a and 5.b were read and voted on separately.

- a. Consideration and possible approval, adoption, denial, amendment, or revision of a Final Plat for the Crossing at Battle Creek Phase V Addition, consisting of One Hundred Eighteen (118) Lots, Nine (9) Blocks, on 23.95 acres located north of the NE/c of E. 41st St. S. and S. 145th E. Ave. (TMAPC staff administratively **APPROVED** the final plat on behalf of TMAPC.) (CD-6) [CC 11/2/22] 22-1023-1
- b. Consideration and possible approval, adoption, denial, amendment or revision of Ordinance ZCA-18 amending the City of Tulsa Zoning Code, Title 42, Tulsa Revised Ordinances, to add Section 20.090 establishing the regulations of a Neighborhood Character Overlay (NCO) District. (TMAPC voted 7-2-0 to recommend the City Council **ADOPT** the proposed amendments.) [UED 10/26/22; CC 11/2/22; CC 11/16/22] 22-982-2

Councilor Cue moved to approve 5.a – 5.b. Councilor Lakin seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

5.c was read and voted on separately.

- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7674 to supplementally zone to Historic Preservation (HP) Overlay properties zoned RS-3 bounded on the north by E. 11th St. S., on the east by S. Peoria Ave., on the south by E. 13th St. S., and on the west by Highway 75, commonly referred to as the Tracy Park Neighborhood and excluding the commercially zoned properties along S. Peoria Ave. requested by Tulsa City Council. (Property owners: Multiple Property Owners) (CD-4) (TMAPC voted 6-0-0 to recommend **APPROVAL** of RS-3 zoning with a supplemental Historic Preservation Overlay.) [UED 10/26/22; CC 11/2/22; CC 11/16/22] 22-981-2

Public Comments:
Jennifer Cavarra – 5.c.
Jeff Richardson – 5.c.
Paul Atkins – 5.c.
Dale Lawton – 5.c.

There was Council discussion.

Anna America, Parks and Recreation Director, and Felicity Good and Susan Miler from the Tulsa Planning Office, addressed the Council.

Councilor McKee moved to approve 5.c, excluding Tracy Park, to be revisited and reviewed in six months. Councilor Lakin seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

5.d was read and voted on separately.

- d. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7673/MPD-5 from IM to MPD-5 for property located at the SW/c of E. Independence St. and N. Lansing Ave. requested by Nia James/PartnerTulsa. (Property owner: City of Tulsa) (CD-1) (TMAPC voted 5-1-0 to recommend **APPROVAL** of MPD-5 zoning.) [UED 10/26/22; CC 11/2/22; CC 11/16/22] 22-983-2

Public Comments:
Fred Storer – 5.d.
Shane Matson – 5.d.
Bob Jackman – 5.d.
James Alexander, Jr. – 5.d.
Barbara VanHanken – 5.d.
Kelsey Royce – 5.d.

Councilor Hall-Harper moved to continue 5.d to the 5:00 P.M. City Council meeting on November 16, 2022, in the City Council Chamber. Councilor Cue seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

6. ORDINANCES - FIRST READING

6.a was read and voted on separately.

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of seven million dollars (\$7,000,000.00) from pledged revenue within the Public Works Non-Federal Grants SubFund. **(REQUESTING WAIVER OF CITY CHARTER, COUNCIL RULES & ORDER OF BUSINESS, AND REQUESTING APPROVAL AND ADOPTION ON FIRST READING)** [UED 11/2/22; CC 11/2/22] 22-1024-2

Councilor Cue moved to approve 6.a with waiver of City Charter, and Council Rules & Order of Business, requesting approval on First Reading. Councilor Lakin seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of one hundred twenty thousand dollars (\$120,000.00) from unappropriated fund balance within the Short Term Capital Fund. (Gilcrease Repair) [UED 11/2/22; CC 11/2/22; CC 11/16/22] 22-993-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to transfer unencumbered and unexpended appropriation balances of five thousand dollars (\$5,000.00) between departments and accounts within the Charles Page Boulevard and related Infrastructure Project and within the 2014 Sales Tax Fund. (Newblock Pollinator Garden) [UED 11/2/22; CC 11/2/22; CC 11/16/22] 22-994-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 37A of Tulsa Revised Ordinances, “Emergency Medical Services Code,” Chapter 1, defining “contract for special arrangements” and “supplemental service provider”; amending and updating definitions and terms to conform with state law and the Uniform Ordinance for Emergency Medical Services required by the Amended and Restated EMS Interlocal Cooperation Agreement; authorizing the Emergency Medical Services Authority (EMSA) to provide direct emergency medical services and/or contract for the

provision of those services; defining supplemental services provider and adding related compliance measures; dividing the Western Division into three sub-areas, lowering the threshold for response time compliance discrimination, and limiting allowed exclusions to response time compliance standards; clarifying procedures for denial, revocation, or suspension of personnel credentialed by the Medical Director; and providing for an effective date of December 1, 2022. **(Emergency Clause)** (Lakin) [PW 11/2/22; CC 11/2/22; CC 11/16/22] 22-1015-2

Without objection, items 6.b – 6.d were forwarded to the next Council meeting.

7. ORDINANCES - SECOND READING

7.c was read and voted on separately.

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance approving and adopting the Woodland Hills Economic Development Project Plan, pursuant to the Oklahoma Local Development Act; identifying and establishing one new Tax Increment District temporarily identified in the Project Plan as Increment District "A"; designating and adopting project area and increment district boundaries; naming Increment District "A" as Increment District No. 21, City of Tulsa; and setting a date for its creation; adopting certain findings; authorizing the City of Tulsa and the Tulsa Authority for Economic Opportunity as the entities to carry out and administer the project plan; establishing a Tax Apportionment Fund; declaring apportioned funds to be special funds of the Tulsa Authority for Economic Opportunity; authorizing the use of increment revenues for the payment of certain project costs; ratifying and confirming the actions, recommendations, and findings of the review committee and the Tulsa Metropolitan Area Planning Commission; directing continuing apportionment. (Public Hearings: 10/19/22; 11/2/22) [UED 10/19/22; CC 10/19/22; CC 11/2/22] 22-937-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7677 from OL and CG to CG for property located north of the NE/c of E. 71st St. S. and S. Memorial Dr. requested by Mark Capron. (Property owners: Woodland Hills Mall, LLC, Attn: Steve Shea) (CD-7) (TMAPC voted 9-0-0 to recommend **APPROVAL** of CG zoning.) [UED 10/19/22; CC 10/26/22; CC 11/2/22] 22-967-3
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance of the City of Tulsa, amending Title 11, Tulsa Revised Ordinances, titled "Public Works Department", Chapter 16, titled "Small Wireless Communications Facilities"; adding a new Subsection 1612.J, to authorize the denial of a Right-of-Way Occupancy Permit for failure to comply with the City's "Underground Policy", codified in Title 11, Section 1210; amending Section 1617, titled "Identification on Pole or Other Structure", adopting new Section 1621, titled "Waiver of Underground Requirements", and a new Section 1622, titled "Appeal to the City Council"; providing for severability; repealing all ordinances and parts of ordinances in conflict; establishing an effective date. **(Emergency Clause)** (Cue, Arthrell-Knezek, Lakin) [PW 10/26/22; CC 10/26/22; CC 11/2/22] 22-991-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance of the City of Tulsa, amending Title 11, Tulsa Revised Ordinances, titled "Public Works Department", Chapter 12, titled "Rights-of-Way Occupancy Management", Section 1210, "Engineering Standards", Subsection C, "Location Criteria", Subsection D, "Construction Standards", and Subsection G, "Miscellaneous Standards"; providing for severability; repealing all ordinances and parts of ordinances in conflict. **(Emergency Clause)** (Cue, Arthrell-Knezek, Lakin) [PW 10/26/22; CC 10/26/22; CC 11/2/22] 22-992-2

Public Comments: In Opposition
Shelli Landon – 7.d – 7.e.
Barry Landon – 7.d – 7.e.
Joey Howk – 7.d – 7.e.
Angela Elmore – 7.d – 7.e.
Margery Armstrong – 7.d – 7.e.
Loretta J. Radcliff – 7.d – 7.e.
Jason Constable – 7.d – 7.e.
Michael Herndon – 7.d – 7.e.
John Edison – 7.d – 7.e.
Cynthia Ruhmann – 7.d – 7.e.

Councilor Cue moved to approve 7.a – 7.e excluding 7.c with the emergency clause on 7.d and 7.e. Councilor Dodson seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

Councilor Lakin recused at 7:45 P.M.

- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of twenty million, seventy thousand, five hundred dollars (\$20,070,500.00) from grant revenues received within the United States Treasury American Rescue Plan Act (ARPA) SubFund and to transfer unencumbered and unexpended appropriation balances of two million, one hundred forty-three thousand, seven hundred eighty dollars and thirty-nine cents (\$2,143,780.39) between Departments and Account groups within the American Rescue Plan Act (ARPA) SubFund. [UED 10/26/22; CC 10/26/22; CC 11/2/22] 22-968-2

Public Comments:
James Alexander, Jr. – 7.c.

Councilor Cue moved to continue 7.c to the 5:00 P.M. City Council meeting on November 16, 2022, in the City Council Chamber. Councilor Dodson seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Absent
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 8 Nays: 0 Absent: 1 Abstentions: 0

Motion carried.

Councilor Lakin returned at 7:49 P.M.

8. **COUNCIL ITEMS**

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Dodson announced that there would be a Town Hall for Authorities, Boards, and Commissions on November 14, 2022. Councilor McKee announced that there would be a District 4 Town Hall on December 4, 2022. Councilor Cue announced that a business association for Southwest Tulsa will be starting and meeting on November 10, 2022.

Public Comments:
John Huffines – 8.a.

9. **NEW BUSINESS**

- a. No items this week.

10. **HEARING OF APPEALS**

- a. Hearing of an appeal from a hearing officer’s decision requested by Ken and Karla Davis, and possible reversal, affirmation, or modification of an Order denying their appeal regarding Nuisance Violations on property located at 5532 E. 62nd St., Tulsa, Oklahoma, 74136, in Working In Neighborhoods (WIN) Case No. 61426. [CC 11/2/22] 22-1021-1

Brant Pitchford with the Working in Neighborhoods Department addressed the Council.

Ken Davis, the appellant, addressed the Council.

There was Council discussion.

Councilor Lakin moved to deny 10.a. Councilor Dodson seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Dodson	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
McKee	Yea	Fowler	Yea
Arthrell-Knezek	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried and the appeal was denied.

11. **HEARING OF PUBLIC COMMENTS**

- a. Raheemah Raheem – Environmental alert regarding saving our trees and soil. [CC 11/2/22] 22-1003-1

Raheemah Raheem addressed the Council.

12. ADJOURNMENT

- a. Adjournment.

Chair Decter Wright adjourned the meeting at 8:14 P.M.

Lori Decter Wright, Chair of the Council

Lori Doring, Secretary to the Council